

Responsibility for Appointments to Boards/Commissions/Agencies/Corporations and Outside Assignments

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- **Rules Committee Reviewed this Issue Twice in 2006**
 - On the first occasion, Rules Committee was presented with a revision to Council Policy 000-13. The policy which was last revised in 1984 sets out how Mayoral and Council appointments are made. The update was needed to address the transition to the Mayor-Council form of government and to incorporate earlier recommendations by the Government Efficiency and Openness (“GE&O”) Committee. In the course of this discussion, questions arose about whether the Mayor or the Council had the authority to make appointments to specific boards in light of the conversion to the Mayor-Council form of government which had not been fully researched.
 - At the second meeting, the committee focused on where the authority to appoint members to specific boards, commissions, agencies and corporations rested as result of the change in government.
- **February 8, 2006** (Supporting Materials: City Attorney Report dated February 1, 2006)
 - The City Attorney proposed an amendment to the Council Policy governing appointments in light of the conversion to the Mayor-Council form of government and recommendations of the GE&O Committee.
 - As part of this proposal, the City Attorney provided general discussion of the appointment process related to City Boards and Commissions in light of the change in government, but did not definitively state whether the Mayor or the Council had the authority in specific instances and did not opine regarding appointment authority for external agencies, corporations and other bodies.
 - As a result, the Rules Committee voted to:
 - Approve the revisions to CP 000-13
 - Receive the City Attorney’s analysis of appointment authority related to internal City Boards and Commissions
 - Direct the City Attorney to complete his analysis of external entities including corporations where the City is the sole member and other external bodies to which the City is a member or appoints a member
 - Continue the discussion of appointment authority to the next Rules Committee meeting so that they could discuss it with the benefit of the City Attorney’s completed analysis.

- **March 1, 2006** (Supporting Materials: City Attorney Report dated February 28, 2006)
 - City Attorney prepared a memo (*this memo the subcommittee's back up from its June 15 meeting*) addressing the appointment authority for the following entities:
 - Four corporations in which the City is the sole member (CCDC, Convention Center Corporation, Data Processing Corporation, and SEDC)
 - Other Corporations or companies in which the City has an interest (Horton Plaza Theatre Foundation, Inc. & San Diego Medical Services Enterprise, LLC)
 - Other entities which were not addressed in the earlier report to the Rules Committee
 - The City Attorney also included a table allocating the appointment authority for both internal boards and commissions as well as various external bodies
 - Committee Discussion
 - The table presented by the City Attorney was not exhaustive (for example, subcommittees of SanDAG and of MTS were not addressed)
 - Committee asked
 - The City Attorney to finish analyzing these other boards and subcommittees
 - Upon completion of the City Attorney's review, directed the Independent Budget Analyst ("IBA") to review the City Attorney's final report.
 - Upon completion of the IBA's review, the Committee would decide whether further discussion was needed.
- Outstanding Issues
 - On March 1, 2006, the Rules Committee asked the City Attorney to finish analyzing all boards and subcommittees: no report back from City Attorney
 - Role of Mayor and City Council in appointment authority to the four corporations in which the City is the sole member (CCDC, Convention Center Corporation, Data Processing Corporation and SEDC)